

MEETING OF THE SENTENCING COUNCIL

22 SEPTEMBER 2023

MINUTES

Members present:

Bill Davis (Chairman)
Rosa Dean
Simon Drew
Diana Fawcett
Elaine Freer
Max Hill
Tim Holroyde
Jo King
Stephen Leake
Juliet May
Beverley Thompson
Richard Wright

Apologies:

Rob Nixon
Mark Wall

Representatives:

Claire Fielder for the Lord Chancellor (Director,
Youth Justice and Offender Policy)
Naomi Ryan for the Lord Chief Justice (Legal
Adviser to the President of the King's Bench
Division)

Observers:

Hannah McNabb, Senior Legal Manager, Criminal
Appeal Office

Members of Office in
attendance:

Steve Wade
Mandy Banks
Vicky Hunt
Ollie Simpson
Jessie Stanbrook

1. MINUTES OF LAST MEETING

- 1.1 The minutes from the meeting of 22 July 2023 were agreed.

2. MATTERS ARISING

- 2.1 The Chairman noted that this was Diana Fawcett's last meeting as the victims representative member of the Sentencing Council. He thanked her for all her valuable contributions over the last four years.

3. DISCUSSION ON BLACKMAIL, KIDNAP AND FALSE IMPRISONMENT – PRESENTED BY MANDY BANKS, OFFICE OF THE SENTENCING COUNCIL

- 3.1 The Council agreed some changes to the culpability factors for the Kidnap and false imprisonment guideline. It was agreed to consult on the package of guidelines in early 2024.

4. DISCUSSION ON MOTORING – PRESENTED BY OLLIE SIMPSON, OFFICE OF THE SENTENCING COUNCIL

- 4.1 The Council considered a draft guideline for vehicle registration fraud, revisions to the draft Aggravated vehicle taking guidelines, and various minor amendments to motoring and motoring-related guidelines.

5. DISCUSSION ON IMPOSITION – PRESENTED BY JESSIE STANBROOK, OFFICE OF THE SENTENCING COUNCIL

- 5.1 The Council considered final issues on the revised Imposition of community and custodial sentences guideline before consultation. These issues included considerations around female offenders, pregnant offenders, menopause, deferred sentencing, an outstanding option in some offence specific guidelines to impose a community order instead of a moderate custodial sentence, and the draft resource assessment and estimated impact on prison and probation services.
- 5.2 It was agreed to consult on the draft revised Imposition guideline in the autumn.

6. DISCUSSION ON IMMIGRATION – PRESENTED BY VICKY HUNT, OFFICE OF THE SENTENCING COUNCIL

- 6.1 The Council discussed a first draft of a guideline for the immigration offence of deception (s24A, Immigration Act 1971).
- 6.2 The Council proposed a change to the harm model which will be brought back to the next Council meeting for consideration.

**7. DISCUSSION ON USER TESTING PROJECT – PRESENTED BY
JESSIE STANBROOK, OFFICE OF THE SENTENCING COUNCIL**

- 7.1 The Council considered and approved a variety of improvements to the website as a result of the user testing project undertaken earlier in the year. Several of these improvements have already been made (such as a 'back to the top' button in guidelines) and the remaining improvements will now be developed by the current website developer for further consideration on design before going live.
- 7.2 These include improvements to the search function of the website, navigability to additional sentencing resources, and additional functions such as a spell check.

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